



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

7/2/2020 11:01:34 AM

Office of West Virginia  
Secretary Of State

**NOTICE OF PUBLIC COMMENT PERIOD**

AGENCY: Health

TITLE-SERIES: 64-115

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: DIABETES SELF-MANAGEMENT EDUCATION

CITE STATUTORY AUTHORITY: 33-53-1(k) and 16-1-4

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 08/03/2020 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: April L. Robertson

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Charleston, WV 25301

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PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This rule establishes the training requirements and procedures necessary for diabetes self-management education to be provided by properly trained health care practitioners in West Virginia.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

HB 4543 required DHHR to develop a rule to implement training requirements in consultation with the Coalition for Diabetes Management.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

n/a

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

n/a

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

n/a

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2020 Increase/Decrease (use "-")	2021 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			0
Personal Services			0
Current Expenses			0
Repairs and Alterations			0
Assets			0
Other			0
2. Estimated Total Revenues			0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

n/a

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

April L Robertson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

**TITLE 64**  
**LEGISLATIVE RULE**  
**DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

**SERIES 115**  
**DIABETES SELF-MANAGEMENT EDUCATION**

**§64-115-1. General.**

1.1. Scope -- This rule establishes the training requirements and procedures necessary for diabetes self-management education to be provided by properly trained health care practitioners in West Virginia.

1.2. Authority -- W. Va. Code §33-53-1(k) and §16-1-4.

1.3. Filing Date --

1.4. Effective Date --

1.5. Sunset Provision -- This rule shall terminate and have no further force or effect upon the expiration of five years from its effective date.

**§64-115-2. Definitions.**

2.1. Commissioner -- The commissioner of the Bureau for Public Health of the West Virginia Department of Health and Human Resources.

2.2. Diabetes self-management education -- A diabetes self-management program currently recognized by the commissioner to educate patients diagnosed with diabetes in order to self-manage their condition.

2.3. Health care practitioner -- "Health care practitioner" or "practitioner" means a physician, pharmacist, nurse, registered dietitian, certified diabetes educator, or other health care practitioner who is licensed to perform specified medical or ancillary services within the scope of his or her license.

**§64-115-3. Diabetes Self-Management Education.**

3.1. Persons diagnosed with diabetes shall be provided the opportunity to receive diabetes self-management education in accordance with W. Va. Code §33-53-1.

3.2. Diabetes self-management education will be offered to persons diagnosed with diabetes as follows:

3.2.a. At diagnosis;

3.2.b. Annually and/or when not meeting treatment targets;

3.2.c. When complicating factors develop; and

3.2.d. When transitions in life and care occur.

3.2. Diabetes self-management education may be provided to a person diagnosed with diabetes individually or in a group as currently allowed by that educational program.

3.3. Diabetes self-management education shall be provided by a health care practitioner that has completed training as currently recognized by the sponsoring or accrediting institution of the educational program that is provided.

3.4. A current list of all diabetes self-management programs recognized by the commissioner shall be maintained by the Bureau for Public Health at [www.wvchronicdisease.org](http://www.wvchronicdisease.org), which shall include the name of the diabetes self-management program, the sponsoring or accrediting institution, and contact information for the program.

3.5. The Coalition for Diabetes Management may make recommendations to the Bureau for Public Health regarding the recognition of diabetes self-management programs by the commissioner.

3.6. The Bureau for Public Health shall review the list of diabetes self-management programs recognized by the commissioner at least annually.

**§64-115-4. Amendment.**

Amendments to this rule may be made after consultation with the Coalition for Diabetes Management.